

IN RE: PETITION FOR VARIANCE
W/S Harlem Lane, 165' S of the
c/l of Stoney Lane
(322 Harlem Lane)
1st Election District
1st Councilmanic District

Merat Tabesh
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-208-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 322 Harlem Lane, located just south of Stoney Lane in Catonsville. The Petition was filed by the owner of the property, Merat Tabesh. The Petition, as filed, seeks alternative relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: "To allow a minimum street side yard setback of 10 feet in lieu of the required 25-foot front yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet." However, a review of the site plan submitted revealed that the Petition filed is not entirely accurate. The subject property and alternative relief requested is more particularly described on the site plan submitted, which was accepted and marked into evidence as Petitioner's Exhibit 1.

At the hearing held on this matter, Merat Tabesh, the property owner, and J. Scott Dallas, Land Surveyor who prepared the site plan for this property, appeared and testified. Appearing in opposition to the request was Ronald Jantz, nearby property owner.

COPIES RECEIVED FOR FILING
Date 12/10/96
By [Signature]

MICROFILMED

Specifically, the Petitioner proposes to develop the subject property with a single family dwelling. Two alternatives are depicted on the site plan; one has the proposed dwelling oriented to face Harlem Lane, while the other has the proposed dwelling oriented to face in a southerly direction. Thus, the Petitioner seeks alternate relief based on the approved orientation of the proposed dwelling. Furthermore, the site plan shows that the lot itself is an irregularly shaped rectangular lot. If the proposed dwelling is approved for orientation to face Harlem Lane, a variance from front and rear yard setback requirements is necessary. If the proposed dwelling is approved to face in a southerly direction, than a variance to lot width requirements is necessary, given the fact that the width of the property on the north (side) is less than the required 55 feet.

Testimony and evidence offered revealed that the subject property consists of 6500 sq.ft., more or less, zoned D.R. 5.5 and is presently unimproved. This lot was created pursuant to the minor subdivision process in which the the property known as 320 Harlem Lane was subdivided to create two lots. As noted above, the Petitioner is desirous of developing the property with a single family dwelling and seeks alternative relief as set forth on the site plan. The Petitioner proposes to orient the proposed dwelling to face either Harlem Lane or in a southerly direction with the side facing Harlem Lane. Given the narrow configuration of this property, a dwelling cannot be built without a variance.

As noted above, Mr. Ronald Jantz, a nearby property owner, appeared and testified in opposition to the request. Mr. Jantz resides at 207 Harlem Lane, in a newly constructed single family residence. Adjacent to and in between Mr. Jantz' property and the subject lot is a vacant lot

which has not yet been developed. Mr. Jantz is opposed to the Petitioner's request in that should the proposed dwelling be oriented to face Harlem Lane, the front of the dwelling will be closer to Harlem Lane than the home in which Mr. Jantz resides. Furthermore, Mr. Jantz testified, and the site plan shows, that the house which is yet to be built immediately north of his property, will also have a front setback consistent with Mr. Jantz' property. Mr. Jantz objects to the construction of a home at 322 Harlem Lane in that the house will sit just 10 feet from the front property line as opposed to the distance his house sits from his own front property line. Mr. Jantz believes that all houses fronting along Harlem Lane should have the same setback.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result


if a variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. Testimony and evidence revealed that the side of the house on the corner of Stoney Lane and Harlem Lane (320 Harlem Lane) is closer to Harlem Lane than is the proposed dwelling. Therefore, if the dwelling to be constructed on the subject lot is oriented to face Harlem Lane, it will be at least as close to Harlem Lane as the house on the corner and maintain approximately the same setback. I believe the proposed dwelling should face Harlem Lane so that its orientation is consistent with the other homes along that street. Therefore, I shall grant the variance for a 10-foot front yard setback in lieu of the required 25 feet, and a rear yard setback of 10 feet in lieu of the required 30 feet. In my opinion, the granting of this relief will not result in any detriment to the health, safety or general welfare of the surrounding locale and meets the spirit and intent of the regulations.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the alternative variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of December, 1996 that the Petition for Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

ORDER RECEIVED
Date 12/17/96
By [Signature]

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

COPIES - RECORDED FOR FILMS
Date 12/17/76
By [Signature]

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 17, 1996

Mr. Merat Tabesh
3710 Dorsey Search Circle
Ellicott City, Maryland 21042

RE: PETITION FOR VARIANCE
W/S Harlem Lane, 165' S of the c/l of Stoney Lane
(322 Harlem Lane)
1st Election District - 1st Councilmanic District
Merat Tabesh - Petitioner
Case No. 97-208-A

Dear Mr. Tabesh:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. J. Scott Dallas, J.S. Dallas, Inc.
13523 Long Green Pike, P.O. Box 26, Baldwin, Md. 21013

Mr. Ronald Jantz
207 Harlem Lane, Catonsville, Md. 21228

People's Counsel

✓ File

ENCLOSURE



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 322 Harlem Lane

which is presently zoned D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.3 C.1. to allow a minimum street side yard setback of 10 feet in lieu of the required 25 foot front yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Adequate area exists for the proposed lot but the narrow property configuration prevents strict compliance with the zoning regulations. The townhomes directly across the street from the subject site are side-oriented to the site. If subdivided, the adjacent property to the west would likely be side-oriented to the site.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee: Owner

Merat Tabesh

(Type or Print Name)

Signature

3710 Dorsey Search Circle

Address

Ellicott City, MD 21042

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

State

Zipcode

Printed with Soybean Ink
on Recycled Paper

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No.

City State Zipcode
Name, Address and phone number of representative to be contacted.

J. Scott Dallas - J.S. Dallas, Inc.
13523 Long Green Pike

Name P.O. Box 26
Baldwin, MD 21013 (410) 817-4600
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING
unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE 11-8-94

ITEM# 208

ORDER RECEIVED FOR FILING

Date

By

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

ZONING DESCRIPTION FOR # 322 HARLEM LANE

BEGINNING at a point on the West side of Harlem Lane which is 50 feet wide at the distance of 165 feet, more or less, south of the centerline of Stoney Lane (as preposed 50 feet wide) thence running with and binding on said Harlem Lane (1) Southerly 118 feet more or less thence leaving said Lane and running the five following courses and distances: (2) Westerly 23.15 feet, more or less (3) Northerly 7.7 feet, more or less (4) Westerly 40 feet, more or less (5) Northerly 112 feet, more or less and (6) Easterly 53 feet, more or less to the place of beginning.

CONTAINING 6500 square feet of land, more or less and located in the 1st Election District, 1st Councilmanic District.

11/30/2008

#208

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

176777

DATE 11-13-76 ACCOUNT 22000-6100

610. VAK - # 52002

AMOUNT \$ 50.00

RECEIVED FROM: ARTRAT TARESH

522 HARKLEM CA

FOR: Residential Virginia

MICROFILMED

Signature
Received 11/13/76

50.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER
YELLOW - CUSTOMER

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-208-A
(Item 208)
322 Harlem Lane
W/S Harlem Lane, 165' +/-
S of c/ Stony Lane
1st Election District
1st Councilmanic
Legal Owner(s):
Meret Tabesh

Variance: to allow a minimum street side yard setback of 10 feet in lieu of the required 25 foot front yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet.

Hearing: Monday, December 9, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

11/21/11 Nov. 21 C101147

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/21, 1996.

THE JEFFERSONIAN,

A. H. Ennis
LEGAL AD. - TOWSON

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbors property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 208

Petitioner: Merat Tabesh

Location: #322 Harlem Lane (400'± N. OF Edmondson Ave.)

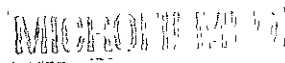
PLEASE FORWARD ADVERTISING BILL TO:

NAME: Merat Tabesh

ADDRESS: 3710 Dorsey Search Circle
Ellicott City Md. 21042

PHONE NUMBER: 750-6294

AJ: ggs



(Revised 04/09/93)



ITEM # 208

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 11-17-96 Thru 12-02-96

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: _____

_____ to allow a minimum street side yard setback of 10 feet in lieu of the required 25 foot front yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTKENT PUBLISHING COMPANY
November 21, 1996 Issue - Jeffersonian

Please forward billing to:

Merat Tabesh
3710 Dorsey Search Circle
Ellicott City, Maryland 21042
750-6294

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-208-A (Item 208)
322 Harlem Lane
W/S Harlem Lane, 165' +/- S of c/l Stoney Lane
1st Election District - 1st Councilmanic
Legal Owner(s): Merat Tabesh

Variance to allow a minimum street side yard setback of 10 feet in lieu of the required 25 foot front yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet.

HEARING: MONDAY, DECEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

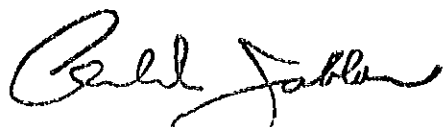
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

W/165' +/- S of c/l Stoney Lane

yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet.

HEARING: MONDAY, DECEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.



Arnold Jablon
Director

cc: Merat Tabesh
J. Scott Dallas

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 24, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-208-A (Item 208)
322 Harlem Lane
W/S Harlem Lane, 165' +/- S of c/l Stoney Lane
1st Election District - 1st Councilmanic
Legal Owner(s): Merat Tabesh

Variance to allow a minimum street side yard setback of 10 feet in lieu of the required 25 foot front yard and opposite side yard setback of 10 feet in lieu of the required 30 foot rear yard or in the alternative, a front yard setback of 10 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet.

HEARING: MONDAY, DECEMBER 9, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Merat Tabesh
J. Scott Dallas

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 24, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 6, 1996

Mr. Merat Tabesh
3710 Dorsey Search Circle
Ellicott City, MD 21042

RE: Item No.: 208
Case No.: 97-208-A
Petitioner: Merat Tabesh

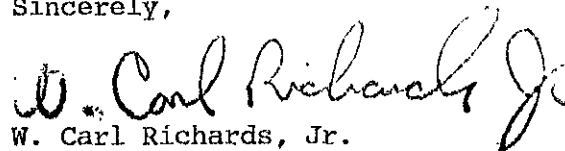
Dear Mr. Tabesh:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 8, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: November 25, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for November 25, 1996
Item No. 208

The Development Plans Review Division has reviewed the subject zoning item. Water and sewer main extensions are required in Harlem Lane to serve this property. See drawing number 95-1029A and 95-1030 for the existing utilities.

Harlem Lane is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE38C

11/28/96 11:11 AM



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 11.18.94
Item No. 208 (RT)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 11/19/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF NOV. 18, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 204, 208, 209 AND 210.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 11/19/96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Nov 18, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

204

(208)

209

210

211

RBS:sp

BRUCE2/DEPRM/TXTSBP

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: November 18, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 204, 208, and 209

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary Kerna

PK/JL

RE: PETITION FOR VARIANCE	*	BEFORE THE
322 Harlem Lane, W/S Harlem Lane, 165'+/-		
S of c/l Stoney Lane, 1st Election	*	ZONING COMMISSIONER
District, 1st Councilmanic	*	
	*	OF BALTIMORE COUNTY
Merat Tabesh		
Petitioner	*	CASE NO. 97-208-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of December, 1996, a copy of the foregoing Entry of Appearance was mailed to J. Scott Dallas, J.S. Dallas, Inc., P.O. Box 26, Baldwin, MD 21013, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

Robin,

Do a letter to Scott Dallas.

"I have reviewed your letter dated 7/31/01 and the accompanying submittals. I find the 7'x24' Deck to be constructed on the house to be within the spirit & intent of my decision dated the 14th day of December, 1996.

Arthur Watrous

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

July 31, 2001

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
For Baltimore County
Room 405, County Courts Building

HAND DELIVER

RE: Case No. 97-208-A
211 Harlem Lane
(Lot No. 2)

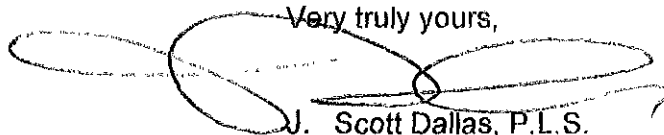
Dear Mr. Kotroco:

In accordance with our conversation, this date, I have enclosed a copy of our original zoning plat, your original order, our subdivision plan and a sketch plan showing a proposed deck for Lot No. 2.

The proposed deck would lie approximately 2 feet inside the variances 10' minimum rear yard, less than 25% of the 10' minimum. The zoning office requires a letter from you stating that the above referenced zoning variance includes "open projections" such as the subject deck. If you agree that the intent of your order would allow the proposed deck, please forward a letter to me at your convenience verifying "open projections" so that we may process the required permit.

Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in dark ink, appearing to read "J. Scott Dallas", is written over a horizontal line.

J. Scott Dallas, P.L.S.
President

Enclosures
JSD/kw

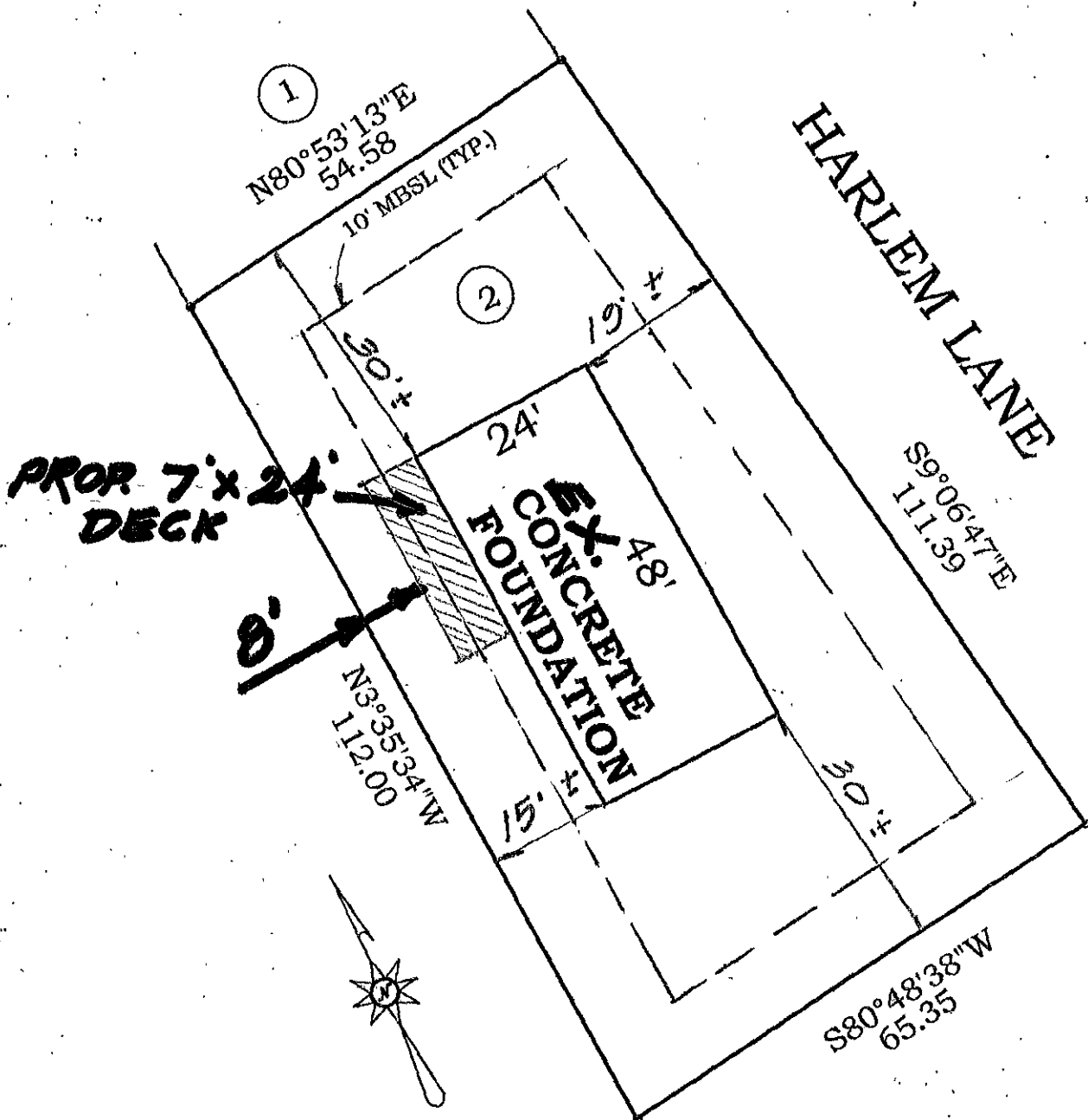
cc: Mr. Steve Knecht

SKETCH PLAN TO ACCOMPANY
LETTER TO MR. KOTROCO
(LOT 2 HARLEM LANE)

97.208-A

7.31.01

1" = 20'





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 6, 2001

J. Scott Dallas, P.L.S., President
J. S. Dallas, Inc.
13523 Long Green Pike
P. O. Box 26
Baldwin, Maryland 21013

Re: Case No. 97-208-A
Property: #211 Harlem Lane (Lot No. 2)

Dear Mr. Dallas:

I have reviewed your letter dated July 31, 2001 and the accompanying submittals. I find the 7 ft. x 24 ft. deck to be constructed on the house to be within the spirit and intent of my decision dated the 17th day of December, 1996.

Very truly yours,

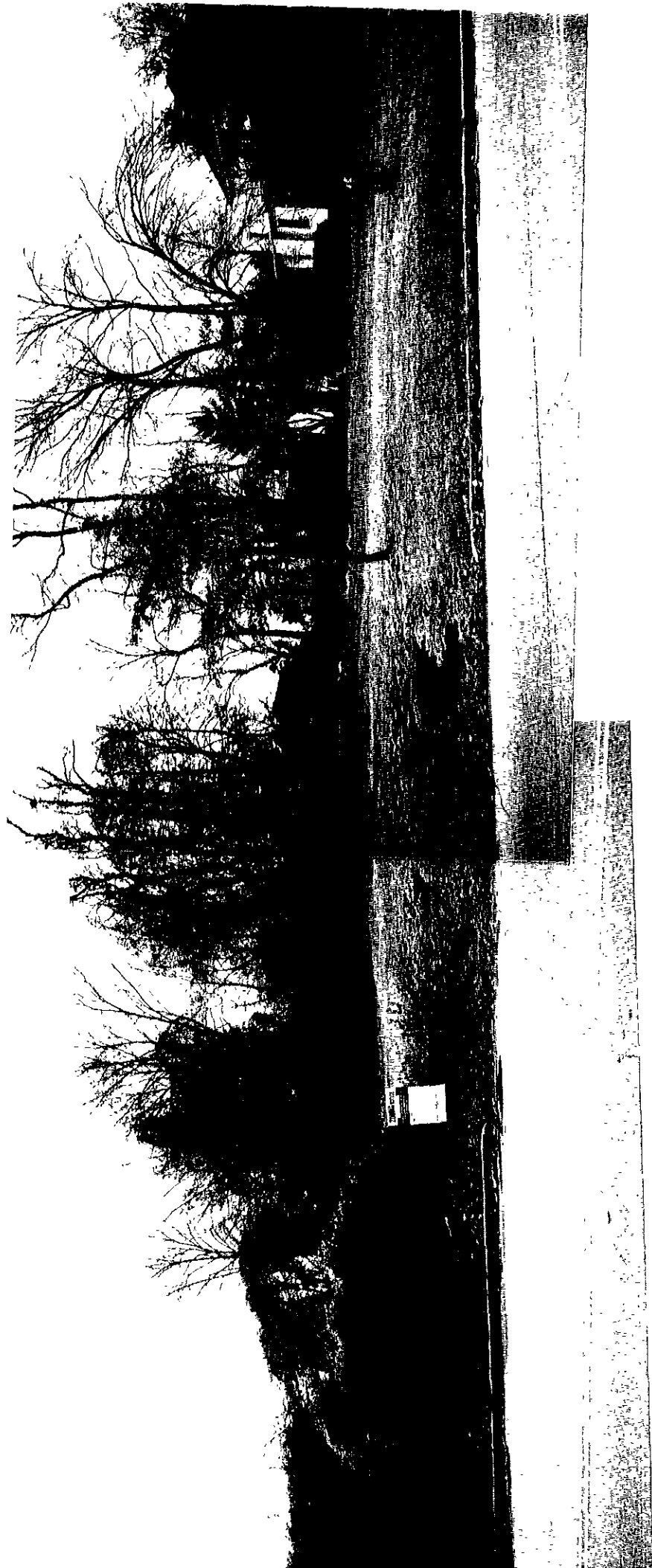
Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj

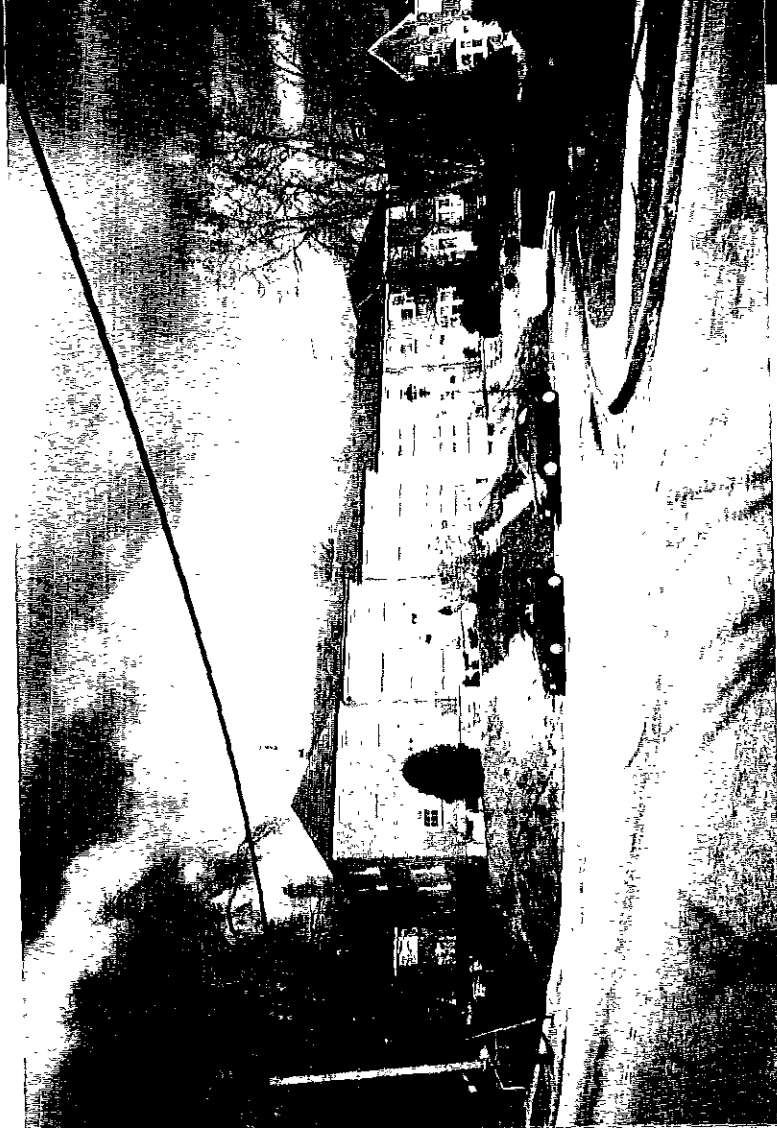


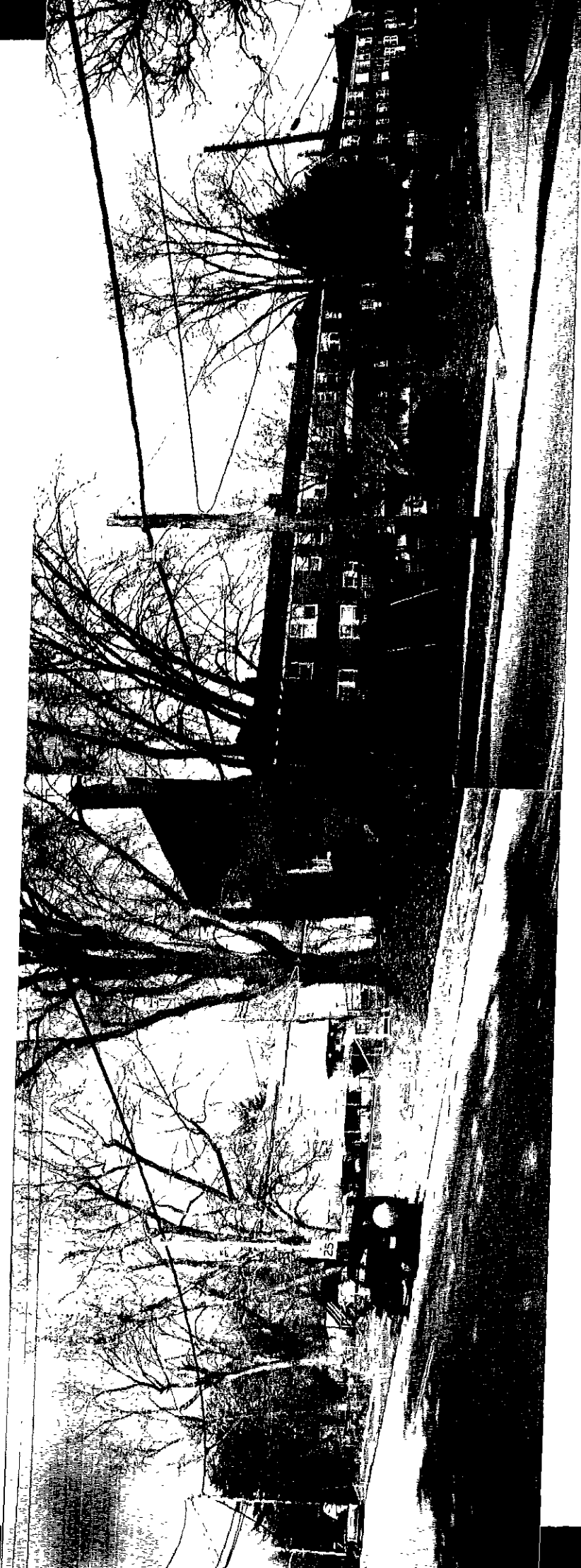














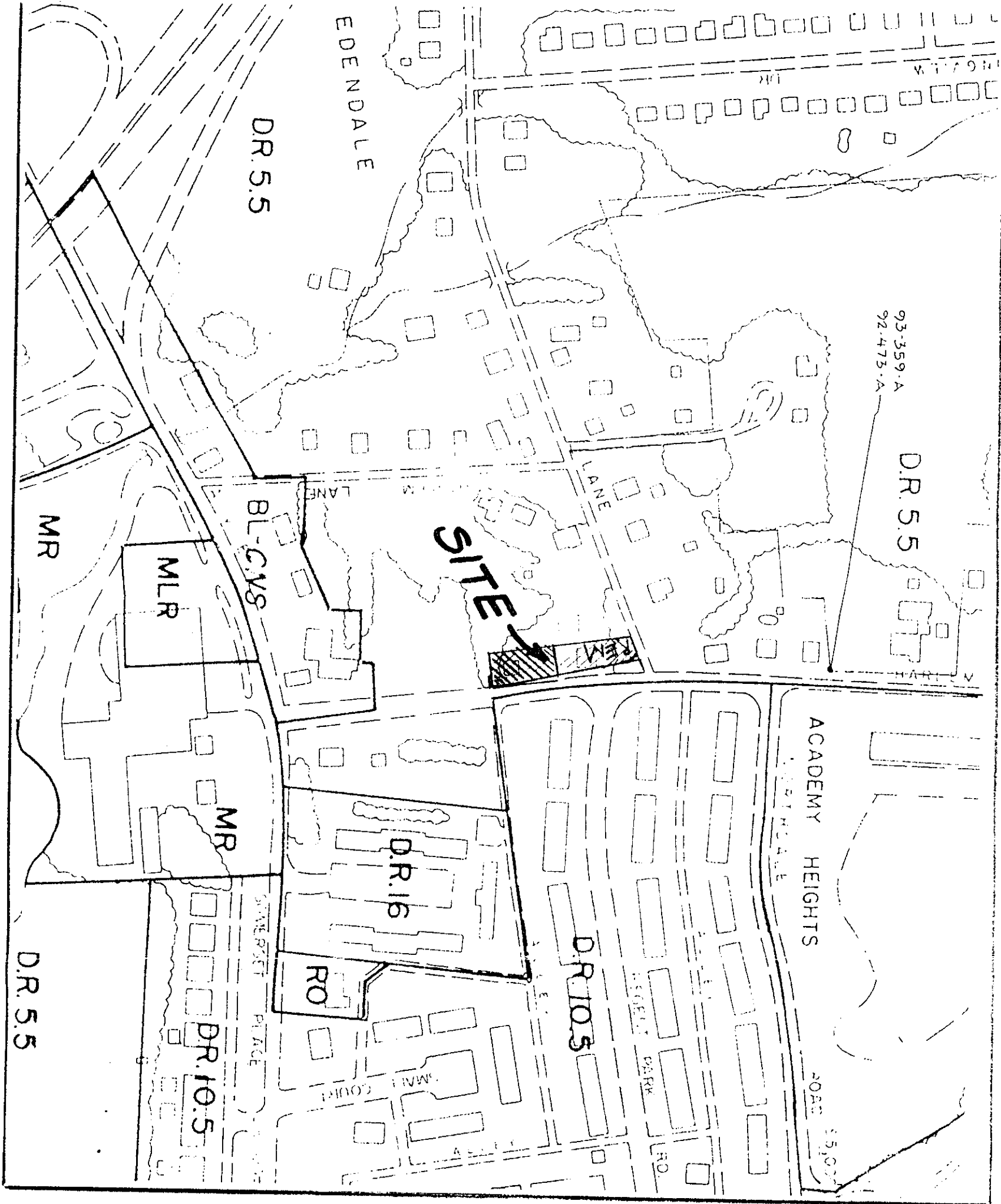


Petitioner's
Exhibit 2 & 3

photographs

Case 97-208-A

UNRECORDED

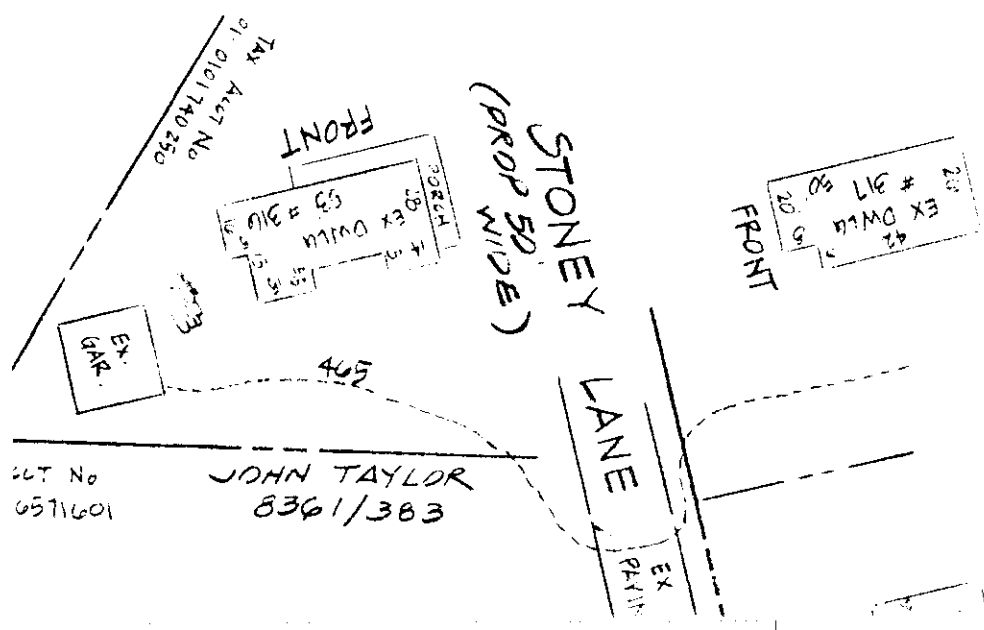


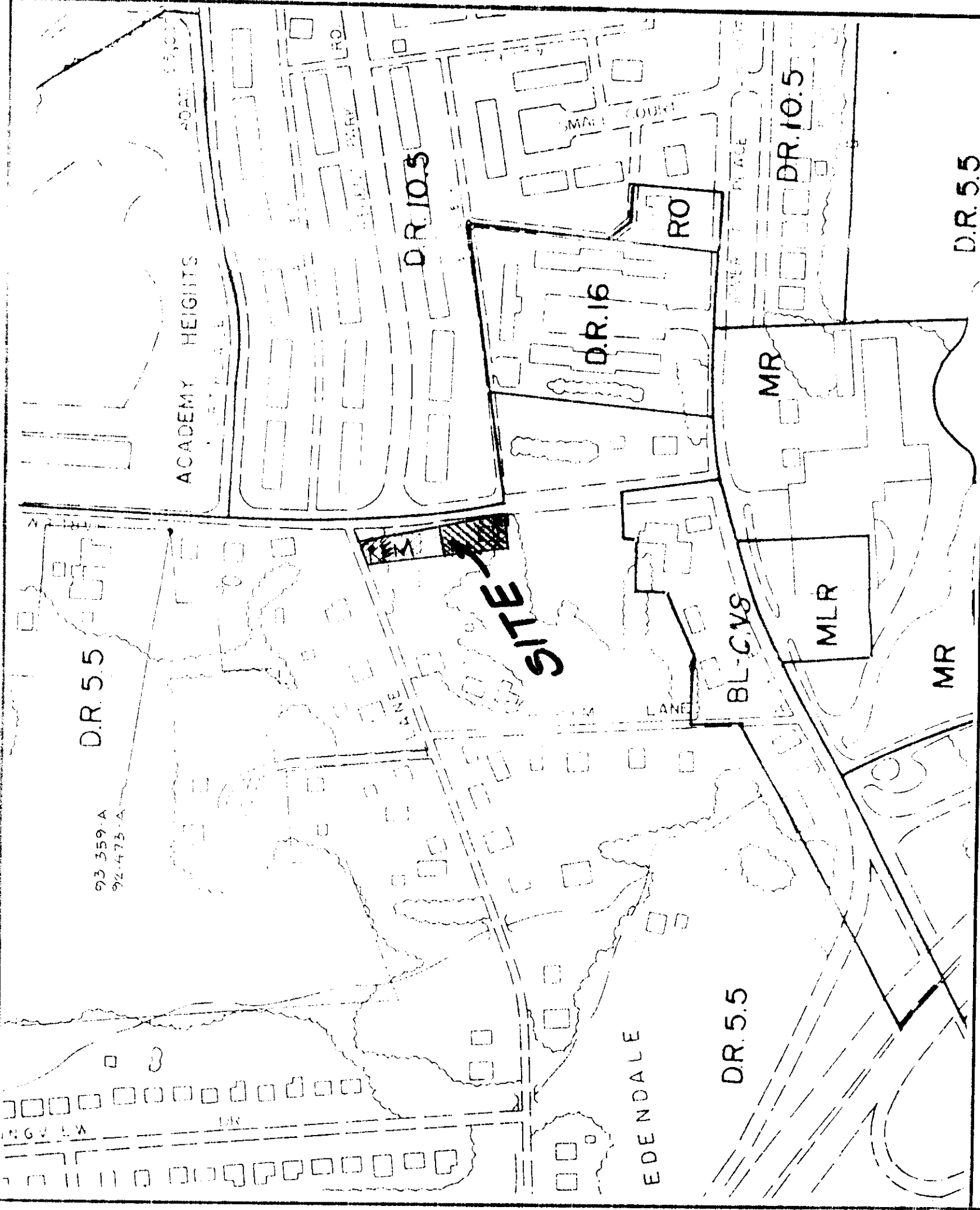
LOCATION / ZONING MAP

PORTION OF B.C.O.P.E. SW 2-F
1" = 200'

91-208.A

#208



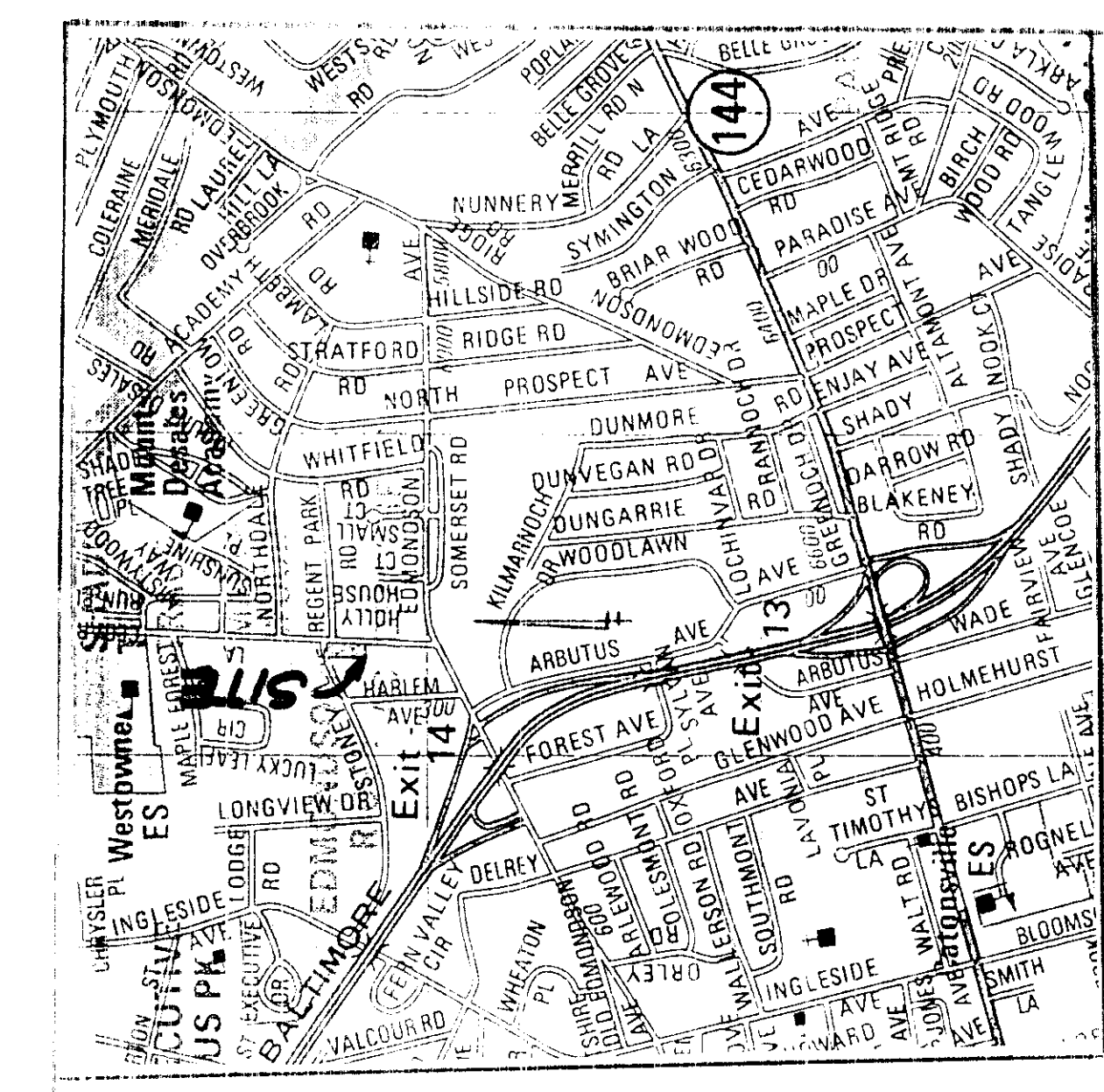


LOCATION / ZONING MAP
PORTION OF 800P2 SWLF
1"=200'

NOTES

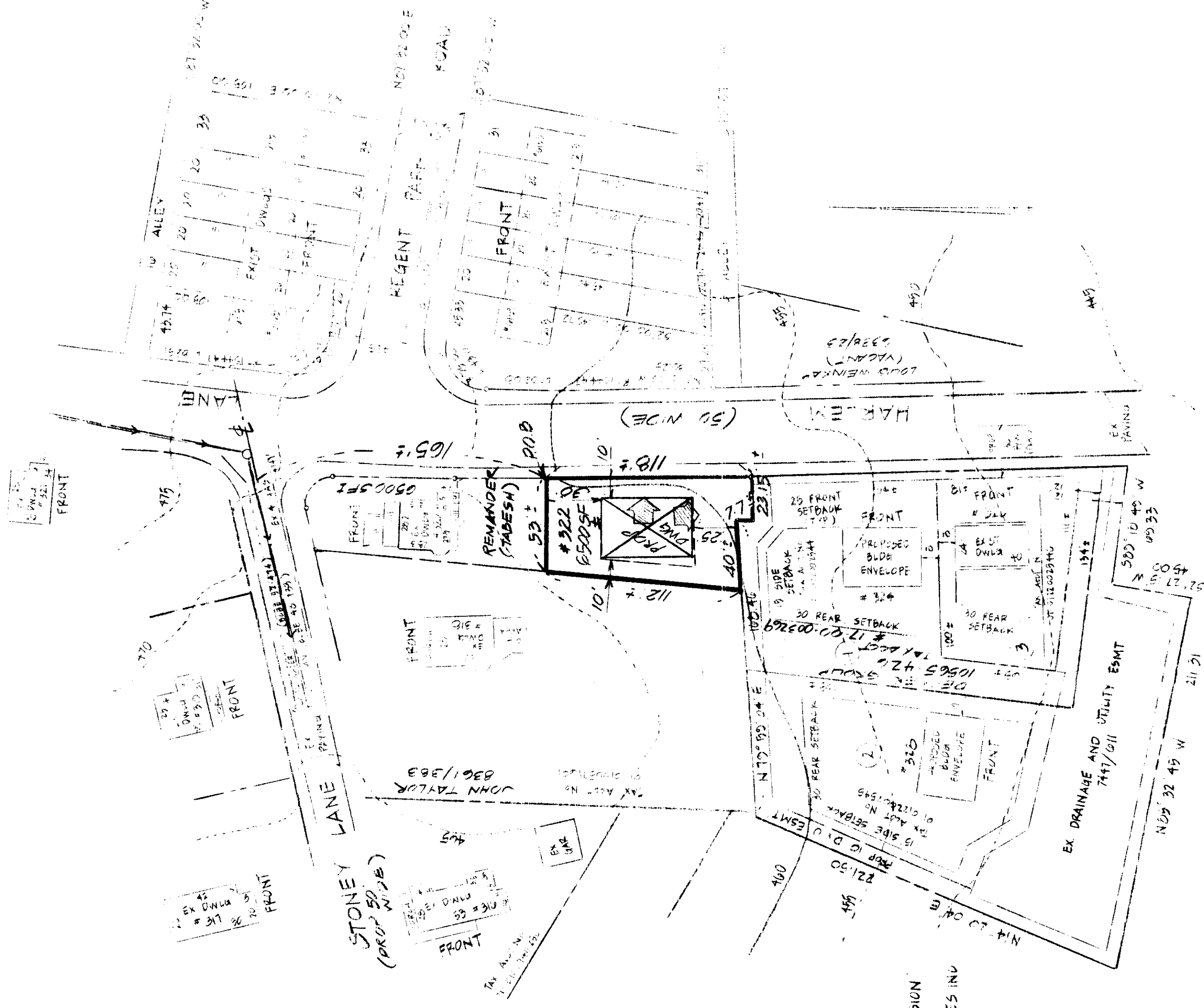
1. SUBJECT SITE ZONED DR 5.5 PER B.G.C.A. SWLF 2F
2. RELATIVE DWLA LOCATIONS HEREON PER FIELD SURVEY
3. LOT LINES DEVELOPED FROM DEED, PLATS AND MAPS BY OTHERS
4. EXISTING / PROPOSED USE OF PROPERTIES (#320, #322)
SINGLE FAMILY DWLA
5. OWNER: HERAT TARESH
DEED REF: 11641-412
6. SITE IS NOT IN C.B.C.A.
7. NO KNOWN PRIOR ZONING HEARINGS
8. AREA OF PROPOSED LOT 6500 SQ.FT. = 0.15 AC. ±
(DISCREPANCIES IN DESCRIPTIONS, R/W TAKING,
CLOSURE ERRORS IN DEEDS, ETC.
MAY RESULT IN OUTLINE AND/OR AREA
REVISIONS IN FINAL SURVEYED LOT)

J.S. DALLAS, INC.
Surveying & Engineering
13523 Long Green Pike
Baltimore, MD 21013
(410) 817-4600



LOCATION MAP
1"=500'

97-208-A



* LOT 12: 118' x 112' PER
HARLEM LANE PROPERTY
PLAN OF MINOR SUBDIVISION
PREPARED BY
D.S. THALER & ASSOCIATES INC.
AUGUST, 1994
11/20/95 4/91

PROFESSIONAL'S
STAMP

MICROFILMED

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
322 HARLEM LANE
ELECTION DIST. 1 COUNCIL DIST. 1 BALT. CO., MD.
SCALE: 1"=50' NOVEMBER 8, 1996
208

00096733